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MATTHEW SEWELL

FILED

Oct 29 2021

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW SEWELL,

Defendant.

) CASE NO.: 19-CR-00392-JSW-1
)
) DECLARATION AND ~~PROPOSED~~
) ORDER ALLOWING MR. SEWELL TO
) TRAVEL FOR WORK TO FORT BRAGG,
) CALIFORNIA ON OCTOBER 31, 2021
) THROUGH NOVEMBER 2, 2021
)
)
)

DECLARATION OF COUNSEL

I, COLIN COOPER, declare as follows:

1. I am a partner in the COOPER LAW OFFICES, and the attorney of record for defendant MATTHEW SEWELL;
2. Mr. SEWELL's current conditions of release include the restriction that his travel be limited to the Northern District of California and that he remain in the custody of Liam Rosen;
3. Mr. SEWELL is requesting permission to travel to Fort Bragg, California on October 31, 2021 until November 2, 2021;
4. Mr. SEWELL was hired to manage the logistics of field projects, redesign websites, and create educational panels for RestorCap – a firm dedicated to tackling complex ecological restoration products and fostering environmental justice efforts across the United States. The Firm's headquarters are in Oakland, California but they have products and field sites in Fort Bragg, California, Portland, Oregon, and Seattle, Washington. Mr. SEWELL's employers have a need for him to travel to the RestorCap field site in Fort Bragg for site surveying, "specifically sampling for carbon sequestration quantification." This work trip will require two overnight stays in Fort Bragg (Sunday, October 31, 2021 and Monday, November 1, 2021.) Mr. SEWELL's employer, Amanda McCarthy and Supervisor, Kate Allen will accompany and supervise him on this trip. (See letter attached from Amanda McCarthy, COO of RestorCap, attached hereto as "Exhibit A");

5. While traveling, Mr. SEWELL will continue to be monitored via GPS ankle monitor by Pretrial Services. Should there be any location monitoring device issues, Mr. Sewell will report back to the Oakland office the following day for a physical inspection of the device;
6. Mr. SEWELL, if permitted to travel for work, will travel with RestorCap's Associate Ecologist, Kate Allen, and his employer, Amanda McCarthy;
7. All other conditions of Mr. SEWELL's pre trial release shall remain in effect and unaltered;
8. Mr. SEWELL is currently being monitored by Pretrial Services Officer Nelson Barao. I have discussed this request with Mr. Barao;
9. I have also discussed this modification with Assistant United States Attorney Robert Leach. Mr. Leach, too, has no objection to this request.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief, and is executed this 27th day of October, 2021, in the city of Berkeley, County of Alameda, State of California.

_____/s/_____
COLIN COOPER

Exhibit A

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Mr. Colin Cooper
collin@cooperdefense.com
15 June 2021

Dear Mr. Cooper,

As acting Chief Operating Officer of RestorCap LLC (restorcap.com), a firm dedicated to tackling complex ecological restoration projects and fostering environmental justice efforts across the United States, it has been my sincere pleasure to employ Matthew Sewell since April 1, 2021. Regardless of the task, he has been enthusiastic, taken ownership of the project, and demonstrated leadership qualities that are challenging for me to find in prospective employees.

Over the past 15 years, I have made a career out of managing teams of environmental regulation and restoration specialists who work together to formulate and implement mitigation strategies that offset environmental impacts. At RestorCap, our significant capitalization and ever-growing portfolio of restoration sites across the country has required building a team of smart, creative problem-solvers who not only have the ability to take on the diverse set of issues surrounding each project, but who we also trust to take full ownership of the process along the way. In the short time Matthew has been involved with our firm, his talent for innovative solutions and his innate leadership have become invaluable to us - whether it's managing the logistics of field projects, redesigning our website, or creating educational panels for our restoration sites, Matthew consistently produces quality work, particularly in areas where RestorCap was previously lacking in expertise.

As RestorCap is a small company, we all have to wear many hats. In addition to the local field surveys and design work that Matthew has been handling for us, we have a need for him to wear yet another hat and travel with the team to our other field sites, which are located primarily in the Fort Bragg, Portland, and Seattle areas (though we have prospective projects across the US). We specifically need Matthew to be onsite for these projects because a) he has extensive experience with logistics management, b) we need him to have first-hand experience of each site to fully understand and help us promote our projects, and c) we are a small company and we need the whole team to be present for large-scale adaptive management activities, such as removing non-native plant species, producing and installing signs and fencing, and assessing the site for any unforeseen management needs.

We are aware of Matthew's case and pending sentencing, and we are dedicated to doing whatever it takes to support and maintain him as a full member of our team and hope that he will be a part of our entrepreneurial team for the length of his career. As such, we request permission for Matthew to travel with us to field sites within the United States, and potentially spend multiple nights near each site. We propose that our Associate Ecologist and my friend and colleague of over 12 years, Kathryn (Kate) Allan, act as his guardian on work trips. Kate brought Matthew to us, has known him for more than 4 years, and will accompany Matthew on all work trips (I do not travel as often to the sites, and therefore do not propose myself as guardian). I trust Kate and Matthew completely to work within the requirements of any court order that allows Matthew to travel.

Please do not hesitate to reach out to me with questions regarding RestorCap, detailed information about our existing project portfolio, or any item that would support Matthew now or in the future.

Kind Regards,

Amanda McCarthy
Associate/ COO
RestorCap
415.254.8451
amandam@restorcap.com

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES OF AMERICA,) CASE NO.: 19-CR-00392-JSW-1
Plaintiff,)
vs.) [PROPOSED ORDER]
MATTHEW SEWELL,)
Defendant.)

GOOD CAUSE APPEARING, it is hereby ordered that Mr. SEWELL's conditions of pretrial release are modified permitting Mr. SEWELL to travel to Fort Bragg, California on October 31, 2021 until November 2, 2021, for work related reasons so long as he seeks and obtains approval from Pretrial Services. Mr. SEWELL is not permitted to travel internationally for any purpose. All other conditions shall remain in full force and effect.

IT IS SO ORDERED.

DATED: 10/29/21



HONORABLE ROBERT M. ILLMAN
United States Magistrate Judge